

at all of issues that are not the subject of an objection. Thomas v. Arn, 474 U.S. 140, 149 (1985); Camby v. Davis, 718 F.2d at 200. Nonetheless, a district judge is responsible for the final determination and outcome of the case, and accordingly the court has conducted a careful review of the magistrate judge's recommendation.


After such careful review, the court determines that the recommendation of the magistrate judge is fully consistent with and supported by current law. Further, the factual background and recitation of issues is supported by the applicable pleadings. Based on such determinations, the court will fully affirm the Memorandum and Recommendation (#13) and grant relief in accordance therewith.

ORDER

IT IS, THEREFORE, ORDERED that the Memorandum and Recommendation (#13) is **AFFIRMED**, plaintiff's Motion for Summary Judgment (#9) is **DENIED**, and defendant's Motion for Summary Judgment (#10) is **GRANTED**. This case is **DISMISSED**.

The Clerk of Court is respectfully instructed to enter Judgment in accordance with this Order.

Signed: September 5, 2017



Max O. Cogburn Jr.
United States District Judge